

## § 330.2

of hearing individuals may share together; and

(d) Addressing the problems of illiteracy among deaf and hard of hearing individuals.

(Authority: 20 U.S.C. 1451, 1452)

[56 FR 54701, Oct. 22, 1991]

### **§ 330.2 Who is eligible to apply under the Captioned Films Including Videos Loan Service Program?**

The following are eligible to apply to borrow captioned films and videos:

(a) Deaf and hard of hearing individuals.

(b) Parents of deaf and hard of hearing individuals.

(c) Other individuals directly involved in activities promoting the advancement of deaf and hard of hearing individuals in the United States.

(Authority: 20 U.S.C. 1452(a))

[56 FR 54701, Oct. 22, 1991]

### **§ 330.3 [Reserved]**

### **§ 330.4 What definitions apply to the captioned films loan service for the deaf program?**

(a) [Reserved]

(b) The following definitions apply to terms used in this part:

*Act* means Individuals With Disabilities Education Act.

*Borrower* means a user of loan service media.

*Deaf person* means a person whose hearing is so severely impaired as not to be correctable to a functional level for the ordinary activities of living.

*Educational media* means those media used for educational purposes.

*Films* means motion pictures and other materials similar in display and function, such as video tapes and video discs.

*Media* means films, filmstrips, photographs and slides, transparencies, television, audio and video tapes, audio and video discs, and similar materials. Printed materials may also be included if in combination with one or more of the preceding.

*Nonprofit purposes* means that the exhibition of media may not result in monetary gain or other tangible economic benefit to the borrower.

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*Theatrical films* means films produced for showing in a commercial setting as entertainment and not those primarily developed for use in a formal program of instruction.

(Authority: 20 U.S.C. 1451, 1452)

[45 FR 52130, Aug. 5, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 53 FR 41085, Oct. 19, 1988; 56 FR 54701, Oct. 22, 1991]

## **Subparts B—D [Reserved]**

### **Subpart E—What Conditions Must Be Met by a Borrower?**

#### **§ 330.50 What are the limitations on use of the loan service?**

(a) A borrower shall use the captioned films for nonprofit purposes only. Moreover, the sum of any fees collected by the borrower for use of the films may not exceed the reasonable expense incurred by the borrower in showing the films to eligible viewers.

(b) In accordance with agreements with producers and distributors, a borrower shall show theatrical films to deaf and hard of hearing individuals only. However, this does not exclude the attendance of teachers of deaf and hard of hearing individuals, interpreters, parents, and occasional guests as long as the audience is composed predominantly of deaf and hard of hearing individuals.

(Authority: 20 U.S.C. 1452(a), (b)(1))

[45 FR 52130, Aug. 5, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 53 FR 41085, Oct. 19, 1988; 56 FR 54701, Oct. 22, 1991]

## **PART 331—EDUCATIONAL MEDIA AND DESCRIPTIVE VIDEOS LOAN SERVICE PROGRAM FOR INDIVIDUALS WITH DISABILITIES**

### **Subpart A—General**

Sec.

331.1 Educational Media and Descriptive Videos Loan Service Program.

331.2 Who is eligible to apply under the Educational Media and Descriptive Videos Loan Service Program?

331.3 [Reserved]

331.4 What definitions apply to the Educational Media and Descriptive Videos Loan Service Program?